

NOVEMBER 22, 2010

A Regular Meeting of Mayor and Council was convened at 8:00 p.m. on November 22, 2010 in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey stated that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 22, 2009.

Mayor Dempsey welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

ROLL CALL: Present: Council Members Bossone, Connolly, Donovan, Grasso, Lee, Lucas

Absent: None

Also present was Borough Attorney James Kinneally and Borough Administrator/CFO Joseph DeLorio

Council Member Lee made a motion to add to the Agenda the approval of Labor Attorney Jim Holzapfel to investigate a work place personnel issue, seconded by Council Member Bossone.

Council Member Connolly requested discussion on this approval.

Roll call followed. "Yes" Council Member Bossone, Donovan, Lee, Lucas. "No" Council Member Connolly, Grasso.

PROCLAMATION: Manasquan Chamber of Commerce
20 Years of Candy Cane Hunt

CELEBRATING 20 YEARS OF THE CANDY CANE HUNT

WHEREAS, In 1991 the Manasquan Chamber of Commerce created a committee whose goal was to increase the interest in the Annual Christmas Tree Lighting Event. The committee members included: Ray Summers of Manasquan Lighting, Jim Manser of the Coast Star, Dominic Bossone of Squan Tavern, John Renna of Allaire Awards and Judy Farrell of Ocean National Bank; and

WHEREAS, the committee came up with the idea of a Candy Cane Hunt. The Candy Cane Hunt would take place the same night of the Christmas Tree Lighting. The Hunt would involve the participation of all children under the age of ten. The Children would each receive a candy cane with a number attached. The children then hunt through the downtown shopping district to look for a paper candy cane hung in the store window that matched their number. When the matching number is found the child would receive a gift from that store; and

WHEREAS, the first year 450 children participated in the Candy Cane Hunt bringing the attendance to the Christmas tree lighting to 1000 people from 50 people the previous year; and

WHEREAS, each year the participation in the Candy Cane Hunt has increased from 450 children in 1991 to 1500 children in 2009; and

WHEREAS, the following groups have helped support the Candy Cane Hunt since 1991: The Manasquan High School Band providing music for the Christmas Tree Lighting ; The Turkey Trot Committee for providing refreshments and Michael Grady for providing Christmas music for the Christmas Tree Lighting as well as along Main Street; and

WHEREAS, due to the growth of the Candy Cane Hunt additional support has come from the Manasquan PBA, Manasquan Tourism, Manasquan Seniors, Manasquan Fire Company No. 1 and No. 2, Manasquan First Aid, and the Manasquan Elks; and

WHEREAS, After 20 years, with the support of the entire town of Manasquan, it has become one of the landmark events in our town, an event that people anticipate as much as the arrival of Santa himself.

NOW THEREFORE BE IT RESOLVED, it is with great pleasure that the Mayor and Council and the good people of Manasquan do officially recognize the Candy Cane Hunt and all the groups that have helped make it one of the most successful event in the town of Manasquan for 20 years.

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WHEREAS, Wesley Vernon Banse Sr. was born in East Camden, NJ on October 8 1919, he lived in the New Jersey towns of Cross Keys, Little Silver, Bordentown, Long Branch, Collingswood, Magnolia, Manasquan, and Wall, before moving to North Carolina in 2002; and

WHEREAS, he was a veteran of World War II (1941-1945) he served in the United States and Europe as a Master Sergeant. He achieved rank of Lt. Colonial during 28 years as a staff officer, training New Jersey National Guardsman. He was instrumental in the organizing of companies and battalions of New Jersey's post-war 50th Armored Division, completing his total of 33 year's of service as Commandant of the New Jersey Military Academy, Sea Girt; and

WHEREAS, his career included completion of resident officer courses at the Armored School, Fort Know, KY, an advance Intelligence Officer course, Fort Holabird, MD and Command and General Staff instruction at Fort Rodman, MA Fort Sill, OK, and at Indiantown, PA. A 1937 graduate of Long Branch High School, he also gained an Associate Degree in Journalism from Brookdale Community College.

WHEREAS, He was a reporter and an administrator for Manasquan's weekly newspaper, The Coast Star, simultaneously serving 20 years as official historian for that Borough. Wesley Banse was one of the organizers, a charter member, and life member of the Squan Village Historical Society and served prominently on Manasquan's Centennial Celebration Committee.

WHEREAS, Prior to a fire that destroyed the Squan Village Historical Society's offices and museum in the vintage Manasquan's Railroad Station, Col. Banse kept office hours there, assisting genealogists, many of whom came from other states. He was an authority on the town's growth and wrote or provided research for a number of articles published in "The Squan Chronicles". He was also one of a group who salvaged what could be saved from fire debris. He became a noted collector of Jersey Shore area history and in 2001 was honored as a recipient of the: Jane G. Clayton" award for his "significant contributions to the preservation and dissemination of the history of Monmouth County, NJ".

WHEREAS, Mr. Banse was a member if First Baptist Church, Manasquan, from 1964 and served on various church boards and commissions and in 1999 was named Deacon Emeritus.

WHEREAS, the passing of Wesley Vernon Banse, Sr. brings sadness and sorrow to our Community.

NOW, THEREFORE, BE IT RESOLVED, that, I, George R. Dempsey, Jr., Mayor of the Borough of Manasquan, by the power vested in me do hereby proclaim that the Borough of Manasquan mourns the passing of Wesley Vernon Banse Sr. and wishes to extend its regrets to his family in hopes of easing their sorrow. Let true and official copies of this Proclamation be spread upon the minutes of the Borough Council meeting of November 22, 2010.

APPOINTMENT: Borough Engineer, Mr. Charles Rooney read the Engineer's report dated November 19, 2010.

Council Member Connolly asked if Alice Hemphill Sanctuary part of the Stockton Lake Boulevard Vegetative Removal.

Mr. Rooney confirmed that it is part of the project.

Council Member Lee asked when the wetlands determination for the Vegetative Removal will be in.

Mr. Rooney advised that it might be next week. He advised the council of when the DEP needs to be contacted with regards to wetlands and removing vegetation.

There was a discussion on the invasive plants that were removed by a company.

Council Member Donovan advised that the tank that was discovered at the Water Treatment Plant had no impact on the project timeline.

Mr. Rooney agreed with Council Member Donovan.

Council Member Donovan advised that the residents will be notified about the Central Avenue Project before the project begins.

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Mr. Rooney went over the process for notifying the residents on and around Central Avenue before the project begins.

Council Member Lee asked the project start time of the Fisherman's Cover Bulkhead project.

Mr. Rooney advised that it is subject to the DEP putting the project out to bid. He advised that the DEP is the lead agency on this project. He stated that the Borough's draft plans and specifications will be submitted to the DEP this week. He advised the council of the issue of the bulkhead having to be tied into the jetty. He went over the time frame for this project.

Council Member Lee wanted to correctly state that the weed control on Stockton Lake was only for invasive plants not non-invasive plants.

CONSENT AGENDA

The Borough Attorney presented the following resolutions for approval.

RESOLUTION 163-2010

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, IN THE County of Monmouth, New Jersey (not less than three (3) members thereof affirmatively concurring) as follows:

1. All bills or claims as reviewed and approved by the Administration & Finance Committee and as set forth in this Resolution are hereby approved for payment.
2. The Mayor, Municipal Clerk and Chief Financial Officer are hereby authorized and directed to sign checks in payment of bills and claims which are hereby approved.

The computer print-out of the list of checks will be on file in the Clerk's Office.

CURRENT FUND	153,404.94
WATER/SEWER FUND:	32,204.20
BEACH FUND. :	63,114.78
GENERAL CAPITAL FUND:	85,861.10
WATER/SEWER CAPITAL FUND:	141,626.66
BEACH IMPROVEMENT FUND:	

RESOLUTION 164-2010

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the following transfer in the 2010 Budget be authorized:

CURRENT FUND

TO:

Administrator S&W	\$ 1,500.00
Administrator O/E	500.00
Mayor & Council S/W	500.00
Financial Administrative OE	500.00
Code Enforcement O/E	1,300.00
Fire Sub-Code S/W	300.00

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Maintenance of Vehicles O/E	<u>3,000.00</u>
	\$ 7,600.00

FROM:

Mayor & Council O/E	\$ 2,000.00
Municipal Prosecutor	<u>5,600.00</u>
	\$ 7,600.00

**RESOLUTION
159-10**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that the Mayor, Chief Financial Officer and Municipal Clerk be authorized to sign a Bond Anticipation Note in the amount of \$249,000.00 with a maturity date of November 17, 2011 awarded to Manasquan Savings Bank.

BE IT FURTHER RESOLVED that the Chief Financial Officer has forwarded a copy of the Certificate of Determination & Award in compliance with the Local Bond Law.

**RESOLUTION NO.
160-2010**

WHEREAS, the Borough of Manasquan is desirous of appointing beach employees for the month of December during the sale of pre-season beach badges/parking passes; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 22nd day of November, 2010 appoint the following beach season employees to work during the month of December, 2010:

- Tracy Sullivan at a rate of \$15.00 hr.
- Eileen McFadden at a rate of \$15.00 hr.
- Kayla White at a rate of \$12.50
- Lucille Wall at a rate of \$12.50
- Laurie Brandon at a rate of \$12.50

**RESOLUTION
162-2010**

BE IT RESOLVED by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

WHEREAS, refunds for overpayments on the following tax bills are due on the below described property in the amount designated as follows:

BLOCK: 9 LOT: 17 NAME: Soriano, Mary Ann & Soriano, Edward M

PROPERTY LOCATION: 17 Lakewood Rd

AMOUNT OF REFUND: \$1,232.77

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REASON FOR REFUND: Homeowners refinanced mortgage. Both the title company and old mortgage company paid 2010 4th quarter taxes.

REFUND CHECK TO BE MADE PAYABLE TO:

Soriano, Mary Ann & Soriano, Edward M
17 Lakewood Rd
Manasquan, NJ 08736-3506

WHEREAS, the Tax Collector has certified that the current property owner is entitled to the refund.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed property with said warrant to be charged against the General Ledger.

**RESOLUTION
161-2010**

WHEREAS, it has been determined by the Zoning Board Chairman John Burke and the Board Attorney that the following application has been closed and any unused funds returned back to the applicant:

Mr. and Mrs. Mike Brown A#25-2009 BK 109 L 15 123 Mc Lean Ave.

AND WHEREAS, the Chief Financial Officer has determined that the amount of unused escrow funds is \$613.75.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, State of new Jersey that the Borough authorizes the Chief Financial Officer to return any unused escrow funds to the applicant as indicated above.

Council Member Bossone advised that the Beach appointments are only for the month of December and it is on an as needed basis.

Council Member Bossone made a motion to accept the Consent Agenda, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Member Bossone, Connolly, Donovan, Grasso, Lee and Lucas, "no" none.

ORDINANCES

The Borough Attorney read the title of ordinance #2073-10 for the second reading and final hearing.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 22
(WATER AND SEWER UTILITY) AND CREATING SECTION 22-62
ENTITLED GREASE DISCHARGE ABATEMENT IN THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

The Mayor asked if there were any questions or comments regarding ordinance #2073-10.

There being no questions or comments, Council Member Donovan made a motion to pass and publish ordinance #2073-10 according to law, seconded by Council Member Lucas. Motion carried by the following vote: "yes" Council Member Bossone, Connolly, Donovan, Grasso, Lee, and Lucas, "no" none.

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The Borough Administrator stated that a letter went out to each of the businesses that are required to be licensed under our Board of Health. He also wanted to thank Patrick Callahan, Tom Nicaastro and the members of the governing body involved in this process. Mr. Callahan was present to answer any questions. He also thanked John Newman for his input with the ordinance.

The Borough Attorney read the title of ordinance #2074-10 for the second reading and final hearing.

AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) OF THE MUNICIPAL CODE ADJUSTING COPYING FEES FOR PUBLIC RECORDS IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

The Mayor asked if there were any questions or comments regarding ordinance #2074-10.

There being no questions or comments, Council Member Connolly made a motion to pass and publish ordinance #2074-10, seconded by Council Member Lucas. Motion carried by the following vote: "yes" Council Member Bossone, Connolly, Donovan, Grasso, Lee, and Lucas. "No" none.

The Borough Attorney read the title of ordinance #2075-10 for the second reading and final hearing.

AN ORDINANCE AMENDING CHAPTER 12 (BEACHES AND BEACHFRONT) OF THE CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

The Mayor asked if there were any questions or comments regarding ordinance #2075-10.

There being no questions or comments, Council Member Bossone made a motion to pass and publish ordinance #2075-10, seconded by Council Member Lucas. Motion carried by the following vote: "yes" Council Member Bossone, Connolly, Donovan, Grasso, Lee, and Lucas. "No" none.

COMMITTEE REPORTS

Public Works Committee – Council Member Donovan had nothing further at this time.

Beach Committee – Council Member Bossone had nothing further at this time.

Public Property and Parks Committee – Council Member Lee advised that the committee has met and discussed a geese control proposal starting with Mac's Pond. He advised that it is under review with our Risk Control and hope to bring this subject back at the next meeting for discussion. He advised there were several other issues and projects discussed. He advised that the Open Space Grant has awarded \$250,000 which will expire in April 2011 and that he was looking to extend those grants.

Public Safety and Recycling Committee – Council Member Lucas had no further report at this time.

Administration and Finance Committee – Council Member Connolly advised that the Clerk is in charge of elections and she advised that there was a tie vote today. She stated that there was a recount and the vote is tied. She stated that we have 10 days to decide how to proceed.

Law and Code Committee – Council Member Grasso had no further report at this time.

Council Member Bossone made a motion to open the meeting up to the public, seconded by Council Member Donovan. Motion carried unanimously.

AUDIENCE PARTICIPATION

Fran Drew, 23 Virginia Avenue referred to November 11 and the 3 days of extra high tide. She advised that she took pictures of the high tides on various streets. She stated that most of the water in many places is coming up through the storm sewer. She informed the council that about 12 years ago there was a suggestion made to possibly putting check valves in some of the storm sewers so that the water from excess high tides wouldn't come up. She asked if any thing has been looked at with regard to this problem. She also wanted to know the result.

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Mayor Dempsey stated that on Main Street there was a brass and cast iron flapper that was installed and that ended up rusting and being open all the time. He advised that on Brielle Road the duck bill pipe which is a rubber piece and when the water came against it it would not open. He also stated that debris would get in there and that didn't work.

Fran Drew stated that they used to be needed to be back flushed every so often.

Mayor Dempsey stated that that would be almost impossible because the pipes are sometimes 500 or 600 feet long.

Fran Drew stated that she would like the engineer to look at it because this is a chronic problem that is getting worse and worse. She stated that it might not affect anyone west of the creek but certainly the whole beach area is flooded more and more. She stated that the only road for evacuation during high tides is Ocean Avenue. She stated that Brielle Road and Main Street are always flooded. She asked if the engineer could look into perhaps some improved check valves that maybe tried in order to stop what has become very excessive.

Mayor Dempsey stated that the Public Works Committee will get in touch with Mr. Rooney with regards to this matter.

Fran Drew stated that what makes Manasquan Manasquan.... She stated she was here since 1948 and in the 1950s and 60s is when she was teenager and older. She advised that the atmosphere in the planning board, council and board of adjustment was friendly and welcoming. She stated that "unless each of you, each of you, everyone of you, starts to do that then Manasquan is not the Manasquan that you so much promote." She stated "taking a good look at what each of you are saying because tonight it didn't happen from one person. It happened from several. I am ashamed of that."

Council Member Lee made a motion to close the public session, seconded by Council Member Bossone
Motion carried unanimously.

Council Member Donovan made a motion to close the regular meeting at 9.00 p.m., seconded by Council Member Bossone. Motion carried unanimously.

Respectfully submitted,



Barbara J. Ilaria
Municipal Clerk

DATE APPROVED 2.22.2011